

REMARKS/ARGUMENTS

Currently, claims 1-80 remain in the application. No amendment is made at this time. Applicants respectfully request reconsideration in view of the above Amendments and following remarks.

Subject Matter Pursuant to 35 USC §102/§103

The Office Action rejects claims 1-80, either under 35 U.S.C. §102 (e) as being anticipated by US. Published Patent Application No. 2002-0069096 (“Lindeorfer”) or under 35 U.S.C. §103(a) as being unpatentable in view of the combination of Lindeorfer with either U.S. No. 6,301,621 (“Haverstock”) and 5,930,156 (“Kennedy”). The rejection is respectfully traversed.

As described in greater detail below, the present invention provides a unique software tool for sharing and manipulating supply chain data by assigning attributes to the data, creating hierarchies, calendars, filters and freeze profiles. Manipulation of the data may be accomplished by allocation, aggregation and conversion using predefined relationships and rules. Selective sharing of data to multiple trading partners may be accomplished by predefined partnerships and filters. System users are able to selectively view the data in a customize desirable format.

37 C.F.R. 1.131(a) states in pertinent part,

[w]hen any claim of an application or a patent under reexamination is rejected, the inventor of the subject matter of the rejected claim, the owner of the patent under reexamination, or the party qualified under §§1.42, 1.43 or 1.47, may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference or activity on which the rejection is based.

37 C.F.R. 1.131(b) states in pertinent part,

[t]he showing of facts shall be such, in character and weight, as to establish reduction to practice prior to the effective date of the reference, or conception of the invention prior to the effective date of the reference coupled with due diligence from prior to said to a subsequent reduction to practice or to the filing of the application.

Applicants respectfully submit the enclosed Declaration Under 37 C.F.R. §1.131 establishing Applicants' conception and reduction to practice of the invention claimed in the instant application prior to the effective filing date of Lindoerfer. As described in the enclosed Declaration, Applicants conceived of the claimed invention at least as of January 13, 2000. Applicants then diligently reduced the invention to practice as described in the enclosed Declaration. Therefore, Applicants respectfully submit that Lindoerfer cannot be properly applied either alone or in combination to reject the claim of the instant application. Thus, in view of the fact that Lindeoerfer cannot be properly applied against the claims of the instant application, it is respectfully submitted that the rejection of claims 1-80 under 35 USC §§102(e) and 103(a) over Lindeoerfer by itself or in combination with other references is no longer proper. Therefore, withdrawal of the rejection of claims 1-80 is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants respectfully request the reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

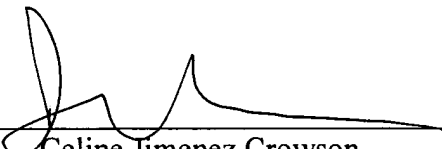
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1349. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

HOGAN & HARTSON, LLP

Dated: March 7, 2006

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Attachment:

Declaration Under 37 C.F.R. §1.131 with Attachments